I am a high-tech startup CEO with a track record of several successful companies and over fifteen years in the computer industry. I am also a published author on electronic commerce (Electronic Selling, McGraw-Hill, 1997).

As proposed, the settlement means total victory to Microsoft, and will only encourage their illegal behavior. The settlement will not magically spur our economy into growth-- in fact it will only take us further into recession.

There is a solution. Allow me to explain.

There is a way to reintroduce competition back into the marketplace and jumpstart our economy-- force Microsoft to openly disclose its source code for Windows. Every line of it. I?ll tell you why.

Opening up the Windows source code will spur a wave of investment, job creation, and innovation. No sane investor will back a company that plans to compete with Microsoft today. But were the rules of the game known, as they used to be, innovation and economic growth would return.

Because investors will not back Microsoft competitors, there has been a disturbing lack of advancement in software for personal computers that runs on Microsoft Windows in the past few years. The pace of software development used to be so fast that businesses and consumers felt an urgent need to undertake the substantial cost, both in time and capital, to upgrade their hardware and software at least every two years.

That need is no longer present. Ask the leaders of Dell, Gateway, Intel-- ask the leaders of America?s great businesses. They will tell you there is simply no compelling reason to upgrade their systems with anywhere near the same frequency as they used to. They do not percieve a competitive advantage in doing so.

Microsoft'?s lawyers claim that certain parts of the Windows source code cannot be made public because of security concerns. As an expert in security and cryptography I tell you this is nonsense. I should know, I wrote an article on cryptography for the Microsoft Developer?s Journal. The worst form of security is security through obscurity. The best form of security is that which is subject to public scrutiny. Language that allows any part of the operating system to be shielded from open release will be exploited by Microsoft.

No other penalty is necessary than this. None other will serve to spur on our economy. You have in your hands the obligation to restore competition to

the marketplace. I trust you will do the right thing, and force Microsoft to open Windows source code to the public.

Thank you for your time,

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